



Written Statement on HB 4688

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Michigan House – Regulatory Reform Committee
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Bill: HB 4688 - Occupations; dietitians and nutritionists; licensure of dietitians and nutritionists; repeal. (Rep. McBroom)

CBNS Position: Supports

The CBNS is the foremost professional credentialing body for Masters and Doctoral level nutrition practitioners, including many MDs and PhDs. We certify highly skilled clinical nutrition practitioners who have trained outside of dietetics programs. Our Certified Nutrition Specialists® (CNS®) are trained to provide high-level clinical nutrition care services. **We urge you to support HB 4688.**

There is a health crisis in Michigan. 31.1% of adults in Michigan are obese, making it the 10th most obese state in the nation. This is an impending health and economic catastrophe. Nutrition is vital to reversing this epidemic. Michigan should support the dissemination of nutrition information and encourage nutrition professionals to serve its citizens, not ban them and force them to go to other states. Expanding Michigan's pool of nutrition professionals—rather than artificially restricting it to one sub-type—is in the best interests of the health and economy of Michigan.

The dietetics licensing regime under PA 333 creates a de facto monopoly for Registered Dietitians and their national dietetics association (AND), for the dispensing of nutrition advice. The AND has a long history of attempting to pass legislation which restricts the rights of both practitioners and consumers in order to suppress competition and monopolize the practice of nutrition.

The Office of Regulatory Reinvention's Occupational and Licensing Rules Committee voted 10-1 to recommend deregulation of the Dietetic/Nutrition Profession, citing lack of significant evidence of public harm and the negative effects of this regulation on job growth.

The current law was passed in 2006 **without CBNS or any other non-dietitian nutrition stakeholders at the table**. The result is a law that is fundamentally flawed and deeply controversial. There are myriad problems with the current law:

- The law will eliminate the livelihoods of a diverse set of individuals who provide nutrition advice or are in the business of nutrition.

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- The exclusive scope of practice under the Act is far too broad and outlaws the preventive and educational nutrition services that are desperately needed to reduce Michigan's dangerously high obesity rate.
- Consumers should have a right to choose a nutrition advisor from multiple training backgrounds and philosophies, and not be limited to a practitioner from one trade association.
- Nutrition is a tremendous source of job growth in counseling, retail sales, training, agriculture, and manufacturing. Maintaining the criteria to one trade association creates an inflexible regulatory environment for the nutrition industry and discourages entrepreneurship in Michigan.

Note that **the tide in other states is unequivocally against de facto monopolies** for registered dietitians:

- 27 states have regulatory regimes that do not criminalize the practice of nutrition and many of those permit legitimate pathways for non-dietitians to obtain a license.
- Illinois just passed a new law replacing one which effectively licensed only registered dietitians for the last ten years. This new law had close to unanimous support of both chambers, the Illinois Department of Financial and Professional Regulation, a broad spectrum of the Nutrition community as well as the business community.
- Last year anti-competitive legislation sponsored by dietitians failed in all eleven states where it was attempted.

We are not opposed per se to a regulatory approach in the area of nutrition counseling. But we do oppose the 2006 law, which was designed for the anti-competitive interests of one special interest group and has serious negative consequences for health and job creation in Michigan. Thankfully, it has not yet been implemented. The Michigan legislature has the opportunity to address the problem at this opportune moment.

We respectfully urge this Committee to support this bill.

Respectfully,

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Executive Director